



STATE OF MICHIGAN  
DEPARTMENT OF EDUCATION  
LANSING




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TO: State Board of Education

FROM: Michael P. Flanagan, Chairman 

SUBJECT: Legislative Update

**Agriculture Bills Enhance Farm to School Programs**

House Bills 6365 and 6366, to raise required local school district commodity bidding levels and to promote greater use of Michigan products in school feeding programs, have cleared the House and are expected to be taken up in the Senate Agriculture Committee when the State Legislature reconvenes after the general election. Staff is working to clarify how the bills intersect with federal child nutrition law and U.S. Department of Agriculture regulations and guidelines.

**Clean-up and Clarity Legislation related to Curriculum**

As you know, last session legislation was enacted creating the Michigan Merit Curriculum and putting the high school requirements into law. As with most large pieces of legislation, after enactment, many questions were raised about the wording of some sections and the intent of others. Additionally, many legislators believed some sections needed more clarity and flexibility. The result of this has been SB 834 and HB 6247. The Michigan Department of Education supports these bills in their current forms.

Neither of these bills lowers standards. Most of the changes in the bills are clarifications and not necessarily changes to the current law. The changes that are included:

- Allow the personal curriculum (PC) process to begin after 9<sup>th</sup> grade and after 1.5 (instead of 2.5) credits for math in order to give enough time for the Career and Technical Education (CTE) and other integrated sequences and support,
- Allow Algebra II to be taken over two years for 2 credits (without the need for a PC to do so), and
- Involve teachers and counselors more in the PC process, including allowing teachers to initiate the process, while retaining the requirement that parents and the local superintendent must agree to the PC.

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The House passed SB 834 (Yeas 103, Nays 4) and returned it to the Senate for concurrence. House Bill 6247 just recently passed the House (Yeas 88, Nays 15) and is in the Senate Education Committee awaiting action. The bills likely will move in the lame duck session.

As you are aware, a House Education Subcommittee has been holding hearings around the State on the high school requirements. MDE staff attend these to listen to concerns of the public as well as to hear from local districts showing success in implementing the requirements.

### **First Class School District**

The Detroit Public School District is currently a district of the First Class under state law. If its pupil count falls below 100,000 pupils, then it will lose this status and a number of changes will take place. For example, as a First Class district it has an 11 member school board – 7 districts and 4 district-wide seats. This would change to a 7 member board like other districts in the state. Another change would relate to charter schools as there are limitations regarding the charters allowed in a First Class District.

There is a great deal of interest in the legal definition of a First Class District and whether it should continue to have a minimum of 100,000 pupils or whether the law should be changed to allow Detroit to continue as such a district. Another option would be to change the laws to address a transition from a First Class District to a regular school district.

Because of this important issue, there likely will be a great deal of education discussion and legislation moving in the lame duck session in November and December. Legislative members may decide to use this as an opportunity to bring up education reform measures, as well as bills related to charters and teachers.

### **House Bills 6412 and 6413**

Rep. Gillard introduced House Bills 6412 and 6413. These bills are companions to the budget recently enacted and need to move as soon as possible. The bills make the statutory changes reflecting the School Aid and MDE budget bills. These are expected to pass in the lame duck session.

The main points of the bills allow for retakes of the college entrance portion of the Michigan Merit Exam if a student already has taken the complete MME, and add the third WorkKeys component to the test so that students may receive a work force readiness credential.

As stated, these changes were already agreed to in the School Aid Act and MDE Budget and these bills codify and eliminate conflicts in the Promise Award Act and the Revised School Code.

### **CCSSO, NGA and, Achieve Join Forces in Benchmarking Project**

The Council of Chief State School Officers (CCSSO), the National Governors Association (NGA), and Achieve, Inc., on September 8 announced they are teaming up to provide to states a roadmap for benchmarking their K-12 education systems to those of top-performing nations.

Michigan State University College of Education's University Distinguished Professor William H. Schmidt will join other preeminent educators such as former U.S. Secretary of Education Richard W. Riley, Massachusetts Commissioner of Education Dr. Mitchell Chester, Arizona Governor Janet Napolitano, Georgia Governor Sonny Perdue, and Intel Board Chair Craig Barrett, as part of a 23-member advisory group to assist the organizations in identifying the need for international comparisons and provide guidance for benchmarking state education system practices in areas such as standards, accountability, educator workforce, and assessments.

"The most recent results of Programme for International Student Assessment (PISA) show U.S. students finished 21<sup>st</sup> in science skills and 25<sup>th</sup> in mathematics skills," said Governor Napolitano. "In a globally competitive world, the U.S. must do better. We need students capable of competing for high-paying jobs with students from top-performing countries."

In a joint statement, CCSSO, NGA, and Achieve noted that they agree the stakes are too great to ignore these global trends and allow American students' education performance to be surpassed. In late October, the advisory group will release a report summarizing the issue and offering steps for state education systems to take toward global excellence.

### **Education Organizations Seek Moratorium on ESEA/NCLB Regulations**

The American Association of School Administrators, the National Association of State Boards of Education, the National School Boards Association, the National Association of Elementary School Principals, and the National Conference of State Legislatures are actively seeking to stop the enactment of regulations for the Elementary and Secondary Education Act/No Child Left Behind issued this summer by the U.S. Department of Education.

In a September 23, 2008, letter to Congressman James P. Moran (D-Virginia), the five groups said they "...strongly advocate a comprehensive reauthorization of the Elementary and Secondary Education Act, not a piecemeal attempt to ameliorate the significant problems of the law. These regulations should be set aside until a new President and a new Congress have the opportunity to undertake a deliberate and systematic reauthorization of the law."

The regulations address such issues as calculating Adequate Yearly Progress, growth models, and other implementation issues that have emerged since the enactment of the last reauthorization.